

REMARKS

Claims 1-34 are pending in the present application.

THE REJECTIONS UNDER 35 U.S.C. § 112:

Claims 1-34 were “rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” (August 18, 2004 Office Action, Page 2). Applicants traverse.

Applicants respectfully direct the Examiner’s attention to page 3, line 17 to page 4, line 25 and page 4, line 26 to page 5, line 14 of the specification as originally filed, wherein applicants describe the role of serotonin modulators in managing various addictive disorder and various sleep disorders, respectively. In view of the specification, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. § 112, second paragraph.

Claims 1-34 were “rejected under 35 U.S.C. 112, first paragraph, because the specification does not reasonably provide enablement for treating addictive behavior and sleep disorders generally.” (August 18, 2004 Office Action, Page 2). Applicants traverse.

Applicants respectfully direct the Examiner’s attention to page 3, line 17 to page 4, line 25 and page 4, line 26 to page 5, line 14 of the specification as originally filed, wherein applicants describe the role of serotonin modulators in managing various addictive disorder and various sleep disorders, respectively. In view of the specification, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. § 112, first paragraph.

CONCLUSION

No fee is believed due for the filing of this Amendment; however, should any fee be found to be due please charge said fee to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company. In view of the foregoing, applicants submit that the application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

Bristol-Myers Squibb Company

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